

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: GALLOWAY, Edward L. et al.

SERIAL NO.: 10/612,499

ART UNIT: 3731

FILED: July 2, 2003

EXAMINER: Erez, D. P.

TITLE: CONSTANT FORCE ACTUATOR FOR BLEEDING TIME TESTING DEVICE

Amendment B: REMARKS

Upon entry of the present amendments, previous Claims 21 - 32 have been canceled and new Claims 33 - 43 substituted therefor. Reconsideration of the rejections, in light of the forgoing amendments and present remarks, is respectfully requested. The present amendments have been entered for the purpose of placing the application into a proper condition for allowance.

In the Office Action, it was indicated that Claims 21 - 23 were rejected under 35 U.S.C. § 102(b) as anticipated by the Campbell, Jr. patent. Claims 24, 26, 29 and 32 were objected to because of minor informalities. Claims 33 - 39 were withdrawn from further consideration pursuant to 37 C.F.R. 1.142(b) as being drawn to a nonelected invention. Importantly, it was indicated that Claims 24 - 32 were "objected to" as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Although Applicant respectfully disagrees with the Examiner's anticipation rejection, Applicant is desirous of securing patent protection for the present invention at an early date. As such, Applicant has placed those "objected to" claims into a proper independent form.

In particular, new independent Claim 33 incorporates the limitations of previous independent Claim 21, along with the limitations of objected-to Claim 24. As such, independent Claim 33 should

be in a proper condition for allowance. Dependent Claims 34 and 35 correspond, respectively, to the limitations found in previous dependent Claims 22 and 23. New dependent Claim 36 corresponds to the limitations of previous dependent Claim 25.

Independent Claim 37 incorporates the limitations of objected-to Claim 26, along with the limitations of base Claim 21. As such, independent Claim 37 should now be in a proper condition for allowance.

Independent Claim 38 incorporates the limitations of objected-to Claim 27, along with the limitations of base Claim 21. As such, independent Claim 38 should now be in a proper condition for allowance.

Independent Claim 39 incorporates the limitations of objected-to Claim 28, along with the limitations of base Claim 21. As such, independent Claim 38 should now be in a proper condition for allowance. Dependent Claims 40 - 43 correspond, respectively, to the limitations found in previous dependent Claims 29 - 32.

Applicant has revised the claim language with respect to Claims 24, 26, 29 and 32 so as to indicate "said activating position" and "said pre-activating position" instead of the informal terminology found in the previous claim language.

Based upon the foregoing analysis, Applicant contends that independent Claims 33, 37, 38 and 39 are now in proper condition for allowance. Additionally, those claims which are dependent upon these independent claims should also be in condition for allowance. Reconsideration of the

rejections and allowance of the claims at an early date is earnestly solicited. Since one new independent claim has been added above those originally paid for, an additional fee of \$100 is enclosed herewith.

Respectfully submitted,

June 25, 2007

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